

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2015-139864-001 DT

03/04/2016

COMMISSIONER KEVIN B. WEIN

CLERK OF THE COURT
A. Callahan
Deputy

STATE OF ARIZONA

ELIZABETH JOHNSON

v.

KYLE J GEISLER (001)
DOB: 02/01/1979

ALAN C KUFFNER

APO-SENTENCE IMPRISON-CCC
APPEALS-CCC
AZ DOC
DISPOSITION CLERK-CSC
RFR

SENTENCE OF IMPRISONMENT

8:47 a.m.

Courtroom SCT 3D

State's Attorney:	DesaRae Tucker on behalf of Elizabeth Johnson
Defendant's Attorney:	Alan Kuffner
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

This is the time set for Acceptance of Plea/Sentencing in the above-entitled cause number.

The plea is accepted.

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Count 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 Criminal Damage
Class 6 Designated Felony

A.R.S. § 13-1602, 13-1601, 12-116.04, 12-269, 13-610, 13-805, 12-116.09, 13-701, 13-702, 13-801

Date of Offense: 08/24/2015

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 1 year from 03/04/2016

Presentence Incarceration Credit: 7 days

Presumptive

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

ASSESSMENTS:

Count 1: PROBATION ASSESSMENT: \$20.00.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforeponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

IT IS ORDERED that restitution is closed.

Community Supervision: Count 1 - Imposed pursuant to A.R.S. § 13-603(I).

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

Pursuant to the terms set forth in the parties' Plea Agreement,

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IT IS ORDERED that the Defendant pay all costs associated with the DNA testing ordered herein.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 2 and 3; allegation of prior felony convictions; allegation the Defendant was on community supervision at the time of this offense.

IT IS ORDERED remanding the Defendant into the custody of the Maricopa County Sheriff's Department.

IT IS FURTHER ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The presentence investigation report is filed under this cause number.

IT IS ORDERED the Defendant shall not have any contact with the victim(s).

8:53 a.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER KEVIN B. WEIN
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)